

Message Text

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ORIGIN EA-09

INFO OCT-01 ISO-00 DHA-02 ORM-02 H-02 AID-05 SSO-00 USIE-00

CIAE-00 DODE-00 PM-04 INR-07 L-03 NSAE-00 NSC-05

PA-01 PRS-01 SP-02 SS-15 INRE-00 NSCE-00 ACDA-07

OMB-01 /067 R

DRAFTED BY D/HA/HKHILL/EA/RA:DHARRIS:EA/PHL:DPSULLIVAN:PA

APPROVED BY EA:RHMILLER

EA/PHL:BAFLECK

H:ASWIFT (SUBSTANCE)

D/HA:MR. SPEAR (SUBSTANCE)

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O 152118Z OCT 76

FM SECSTATE WASHDC

TO AMEMBASSY MANILA IMMEDIATE

C O N F I D E N T I A L STATE 256217

E.O. 11652: GDS

TAGS: SHUM, MASS, RP

SUBJECT: CONGRESSIONAL REQUEST FOR DETAILED HUMAN RIGHTS
STATEMENT

REF: STATE 231122

1. THE DEPARTMENT RECEIVED ON OCTOBER 13 A LETTER FROM
CHAIRMAN MORGAN OF THE HOUSE INTERNATIONAL RELATIONS COM-
MITTEE CONTAINING A REQUEST FOR A HUMAN RIGHTS "STATEMENT"
ON THE PHILIPPINES AND INDONESIA BASED ON SECTION 502B (C)
(1) OF THE FOREIGN ASSISTANCE ACT OF 1961 AS AMENDED BY
THE INTERNATIONAL SECURITY ASSISTANCE AND ARMS EXPORT
CONTROL ACT OF 1976. (FULL TEXT CONTAINED REFTEL.)

2. THIS IS A FORMAL REQUEST UNDER THE NEW STATUTE TO WHICH
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DEPARTMENT MUST RESPOND WITHIN 30 DAYS, I.E., BY

NOVEMBER 12 OR ALL SECURITY ASSISTANCE DELIVERIES REPEAT DELIVERIES TO EACH COUNTRY ABOUT WHICH STATEMENT IS REQUESTED WILL BE CUT OFF UNTIL RESPONSE IS RECEIVED BY THE COMMITTEE. IN THIS REGARD, EMBASSY IS REMINDED THAT SECTION 502(B)(2) DEFINES SECURITY ASSISTANCE IN COMPREHENSIVE TERMS TO INCLUDE FMS CASH PURCHASES AND CERTAIN COMMERCIAL TRANSACTIONS.

3. AS INDICATED REFTEL "STATEMENT" ON THE COUNTRY CONCERNED MUST CONTAIN THE FOLLOWING INFORMATION:

-- ALL AVAILABLE INFORMATION ABOUT OBSERVANCE OF AND RESPECT FOR HUMAN RIGHTS AND FUNDAMENTAL FREEDOM IN THAT COUNTRY AND DETAILED DESCRIPTION OF HOST GOVERNMENT PRACTICES WITH RESPECT THERETO (HUMAN RIGHTS REPORT WHICH EMBASSY RECENTLY REVIEWED WILL FORM BASIS OF THIS PART OF RESPONSE.);

-- STEPS U.S. HAS TAKEN TO PROMOTE RESPECT FOR AND OBSERVANCE OF HUMAN RIGHTS, AND DISCOURAGE PRACTICES INIMICAL TO HUMAN RIGHTS IN THAT COUNTRY, AND TO PUBLICLY OR PRIVATELY CALL ATTENTION TO AND DISSOCIATE U.S. AND SECURITY ASSISTANCE PROVIDED COUNTRY, FROM SUCH PRACTICES;

-- WHETHER, NOTWITHSTANDING SUCH PRACTICES, EXTRAORDINARY CIRCUMSTANCES NECESSITATE CONTINUATION OF ASSISTANCE, AND ALL FACTS WHICH SHOW THAT IT IS IN THE NATIONAL INTEREST TO PROVIDE SUCH ASSISTANCE.

4. CHAIRMAN'S LETTER FURTHER SPECIFICALLY REQUESTS, IN ADDITION TO INFORMATION REQUIRED UNDER SECTION 502(B)(C), DETAILED EVALUATION OF CHAPTER 2 OF AMNESTY INTERNATIONAL REPORT, EVALUATION OF REPORT OF AMRSP ON POLITICAL DETAINEES IN PHILIPPINES, AND EVALUATION OF RESPONSE OF THE GOP TO AMNESTY INTERNATIONAL AND AMRSP ALLEGATIONS OF TORTURE.

5. ONCE STATEMENT IS SUBMITTED CONGRESS MAY AT ANY TIME THEREAFTER ADOPT A JOINT RESOLUTION ON WHETHER TO TERMINATE, RESTRICT OR CONTINUE THE PROVISION OF SECURITY
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ASSISTANCE TO THE COUNTRY CONCERNED.

6. PROMPT RESPONSE THIS MESSAGE IS CLEARLY ESSENTIAL.

7. IN ADDITION TO THE FOREGOING EMBASSY SHOULD REVIEW ALL APPROACHES MADE TO HOST GOVERNMENT AND ALL OTHER RELEVANT STEPS TAKEN OR CONTINUED SINCE SUMMER OF 1974 AND PROVIDE DETAILED FACTUAL REPORT, CITING APPROPRIATE

CABLES, TO ENABLE US TO RESPOND TO SUBSECTION (C)(1)(B).
REFERENCE IS MADE TO PARA 8 REFTEL AND 75 STATE 182813.
IN ADDITION CU PROGRAMS, ATTENDANCE TRIALS AND IN DEPTH
CONTACTS WITH IMPORTANT SECTORS OF SOCIETY DISCUSSED
STATE 182813, POST SHOULD CALL ATTENTION TO ANY ELEMENTS
OF U.S. ASSISTANCE PROGRAMS, INCLUDING BUT NOT LIMITED
TO SECURITY ASSISTANCE, DESIGNED AT LEAST IN PART TO BE
SUPPORTIVE OF HUMAN RIGHTS. POST SHOULD ALSO POINT OUT
ANY INSTANCES (E.G., AT UN GENERAL ASSEMBLY, UN HUMAN
RIGHTS COMMISSION) WHERE POST COUNTRY AND U.S. HAVE
COOPERATED IN EFFORTS SUPPORTIVE OF HUMAN RIGHTS.
DEPARTMENT WILL WELCOME ANY SUGGESTIONS OR RECOMMENDATIONS
FOR ADDITIONAL STEPS TO BE TAKEN BY EMBASSY, BY DEPARTMENT,
OR BY POSTS ELSEWHERE.

8. POST SHOULD ALSO INCLUDE IN ITS RESPONSE FINAL SECTION
CONTAINING RECOMMENDATIONS REGARDING JUSTIFICATION FOR
CONTINUING OR MODIFYING PROGRAM INCLUDING EXPOSITION OF
"EXTRAORDINARY CIRCUMSTANCES" AND U.S. INTERESTS CALLED
FOR UNDER SUBSECTION (C) (1) (C). DEPARTMENT WOULD ALSO
APPRECIATE EMBASSY SUGGESTIONS FOR RESPONSES TO BE MADE TO
CHAIRMAN'S ADDITIONAL SPECIFIC QUESTIONS LISTED PARA 4
ABOVE.

9. EMBASSY'S RESPONSE TO THIS INSTRUCTION SHOULD BE MADE
BY PRIORITY TELEGRAM SO AS TO REACH DEPARTMENT NOT LATER
THAN COB WASHINGTON OCTOBER 22.

10. CLASSIFIED INFORMATION WILL BE PROVIDED ON A CONFIDENTIAL
BASIS FOR THE USE OF THE TWO CONGRESSIONAL
COMMITTEES ONLY BUT PUBLIC DISCLOSURE CANNOT BE PRECLUDED.

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Margaret P. Grafeld
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